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10/712,467	11/13/2003	Terry Michael Bleizeffer	RSW920030160US1	9433

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ART UNIT	PAPER NUMBER
2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/712,467	BLEIZEFFER ET AL.	
	Examiner	Art Unit	
	SOUMYA DASGUPTA	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 January 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Applicant's Response

In the applicant's response dated 1/17/2008, the applicant did not amend any claims and argued against all the rejections.

The rejection set forth under 35 USC ~ 101 (2nd Paragraph) for Claim 24 is withdrawn because the applicant argued that the Specification does not recite types of waves and signals for a "recordable-type media."

Claims 1-24 are currently pending and being considered below. Claims 1, 11, 21, and 24 are independent claims.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4, 11-14, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Keane et al (US 6650433; Patent Issue Date: Nov 18, 2005; Patent Filing Date: April 25, 2000; hereafter Keane).

Claim 1:

Keane teaches **a method for presenting a step of a task, wherein the task includes a series of steps to be performed, the method comprising: identifying a current step within the series of steps;** (Fig 4 a-c → Keane teaches "a method for presenting a step of a task, wherein the task includes a series of steps to be performed " in that a system with a graphical user interface with a process with steps. The current step is a highlighted step.)

retrieving a step component for the current step; (Fig 4 a-c → Keane teaches "retrieving a step component for the current step" in that the graphical user interface with a process with steps is presented. The current step is a highlighted step. The user can input the settings of the current step.)

and presenting the current step inline within the series of steps such that the step component is presented in context within the series of steps. (Fig 4 a-c → Keane teaches "presenting the current step inline within the series of steps such that the step component is presented in context within the series of steps" a system with a graphical user interface with a process with steps. The current step is a highlighted step within a series of other steps.)

Claim 2:

Keane discloses **a method wherein identifying a current step within the series of steps** (Fig 4 a-c → Keane teaches " a method wherein identifying a current step within the series of steps" in that a graphical user interface with a process with steps is presented with the current step as a highlighted step.)

receiving a request from a client. (Fig 1A and col 13, lines 59-65 → Keane discloses "receiving a request from a client " in that a GUI communicates on a network with a communication protocol using HTML components.)

Claim 3:

Keane discloses **a method that identifies a user selection of the current step within the series of steps**. (Fig 4 a-c → Keane teaches a system with " a method that identifies a user selection of the current step within the series of steps " in that the graphical user interface with a process with steps is presented. The current step is a highlighted step.)

a request from a client. (Fig 1A and col 13, lines 59-65 → Keane discloses a system with "a request from a client" in that the GUI communicates on a network with a communication protocol using HTML components.)

Claim 4:

Keane discloses ***a method wherein the request is a HyperText Transfer Protocol.*** (Fig 1A and col 13, lines 59-65 → Keane discloses a system with "*a method wherein the request is a HyperText Transfer Protocol* " in that the GUI communicates on a network with a communication protocol using HTML components.)

Claim 11:

Claim 11 corresponds with claim 1.

Claim 12:

Claim 12 corresponds to claim 2.

Claim 13:

Claim 13 corresponds to claim 3.

Claim 14:

Claim 14 corresponds to claim 4.

Claim 24:

Claim 24 corresponds with claim 1.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 5-6, 8-10, 15-16, 18-21, and 23 are rejected under 35 U.S.C. 103(a) as being obvious over Keane et al (US 6650433; Patent Issue Date: Nov 18, 2005; Patent Filing Date: April 25, 2000; hereafter Keane) in view of Hind et al (US 6715129; Patent Issue Date: Mar 30, 2004; Patent Filing Date: Oct 13, 1999; hereafter Hind).

Claim 5:

Keane teaches the limitations of claim 1.

Keane discloses ***a method presenting current step inline with a series of steps*** (Fig 4 a-c → Keane teaches " *a method presenting current step inline with a series of steps* " in that the graphical user interface has a process with steps. The current step is a highlighted step within a series of other steps.)

Keane also discloses ***Java*** . (Col 13, lines 1-5 → Keane discloses a system which utilizes a Javascript.)

Keane does not appear to explicitly disclose ***a method using a Java Server Page***.

However, Hind discloses ***a method presenting a Java Server Page***. (Abstract → Hind discloses a system that Java Server Pages.)

Keane and Hind are both analogous art because they are from the same field of endeavor of graphical user interface applications using Java.

At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Keane and Hind before him or her, to modify the GUI that identifies a current step within the series of steps to include communication with a client and server because it allows tasks to be listed and oriented in a network system with an universal web based language like Java, as disclosed by Keane, with a Java Server Page, as disclosed by Hind.

Since Keane discloses a GUI programmed with Java and Hind discloses a GUI programmed with Java Server Page (JavaScript), the motivation for doing so would have been to allow a user interface with inline representation of steps in a multi-stepped process in conjunction with a network system to be programmed with a universal language like Java.

Therefore, it would have been obvious to combine Hind with Keane to obtain the invention as specified in the instant claim.

Claim 6:

Keane and Hind discloses the limitations of claim 5.

Keane discloses ***a method of retrieving a step component for the current step includes retrieving the step component using a Tiles framework*** (Fig 4a-c → Keane teaches discloses "*a method of retrieving a step component for the current step includes retrieving the step component using a Tiles framework* " in that the graphical user interface has sets of general categories of the process broken down into steps. The categories, steps, and user input are presented in frames and tiles. The GUI presented in figure 4a-c shows components and subcomponents within a larger page of components.)

Claim 8:

Keane and Hind discloses the limitations of claim 5.

Keane discloses ***a method wherein the response page includes a navigation tile, wherein the navigation tile presents a plurality of tasks*** (Fig 4a-c → Keane teaches "*a method wherein the response page includes a navigation tile, wherein the navigation tile presents a plurality of tasks* " in that graphical user interface has sets of general categories of the process broken down into steps. The categories, steps, and user input are presented in frames and tiles. The GUI presented in figure 4a-c shows components and subcomponents within a larger page of components as well as navigation using the back and next buttons for tasks and steps in the process.)

Claim 9:

Keane and Hind discloses the limitations of claim 5.

Keane discloses ***a method of identifying a current task within the plurality of tasks; retrieving a task tile for the current task; and presenting the task tile as a series of steps*** (Fig 4 a-c → Keane teaches "*a method of identifying a current task within the plurality of tasks; retrieving a task tile for the current task; and presenting the task tile as a series of steps" in that the* graphical user interface has a process with steps. The current step is a highlighted step. The user can input the settings of the current step. The categories, steps, and user input are presented in frames and tiles. The GUI presented in figure 4a-c shows components and subcomponents within a larger page of components)

Claim 10:

Keane and Hind discloses the limitations of claim 5.

Keane discloses ***a method of a identifying a current step within the series of steps*** (Fig 4 a-c → Keane teaches a " *method of a identifying a current step within the series of steps* " in that the graphical user interface has a process with steps. The current step is a highlighted step.)

Keane also discloses ***sending the response page to the client***. (Fig 1A and col 13, lines 59-65 → Keane discloses "*sending the response page to the client"* in that the GUI communicates on a network with a communication protocol using HTML components.)

Claim 15:

Claim 15 corresponds to claim 5.

Claim 16:

Claim 16 corresponds to claim 6.

Claim 18:

Claim 18 corresponds to claim 8.

Claim 19:

Claim 19 corresponds to claim 9.

Claim 20:

Claim 20 corresponds to claim 10.

Claim 21:

Keane discloses **a server** (Fig 1a → Keane discloses a system that uses a web server.)

for presenting a step of a task, wherein the task includes a series of steps to be performed, (Fig 4 a-c → Keane teaches "for presenting a step of a task, wherein the task includes a series of steps to be performed " in that the graphical user interface with a process with steps. The current step is a highlighted step.)

the method comprising: a controller, wherein the controller receives a request from a client, (Fig 1A and col 13, lines 59-65 → Keane discloses a " a controller, wherein the controller receives a request from a client" in that the GUI communicates on a network with a communication protocol using HTML components.)

wherein the request identifies a current step within the series of steps, (Fig 4 a-c → Keane teaches "wherein the request identifies a current step within the series of steps " in that the graphical user interface shows a process with steps. The current step is a highlighted step.)

and wherein the controller retrieves a step component for the current step; (Fig 4 a-c → Keane teaches "the controller retrieves a step component for the current step "in that the graphical user interface shows a process with steps. The current step is a highlighted step. The user can input the settings of the current step.)

and a server page that builds **a response page.** (Fig 1A and col 13, lines 59-65 → Keane discloses "response page " in that the GUI communicates on a network with a communication protocol using HTML components. It is well-known in the art for the server to respond to a client using a page.)

and wherein the response page presents the current step inline within the series of steps such that the step component is presented in context within the series of steps. (Fig 4 a-c → Keane teaches "the response page presents the current step inline within the series of steps such that the step component is presented in context within the series of steps "in that graphical user interface shows a process with steps. The current step is a highlighted step within a series of other steps.)

Keane also discloses ***Java***. (Col 13, lines 1-5 → Keane discloses a system which utilizes a Javascript.)

Keane does not explicitly disclose a server page that is a **Java Server Page.**

However, Hind discloses a **Java Server Page.** (Abstract → Hind discloses a system that has a Java Server Page. It is typical for a server page to have a respond page for a client request.)

Keane and Hind are both analogous art because they are from the same field of endeavor of graphical user interface applications using Java.

At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Keane and Hind before him or her, to modify the GUI that identifies a current step within the series of steps to include communication with a client

and server because it allows tasks to be listed and oriented in a network system with an universal web based language like Java, as disclosed by Keane, with a Java Server Page, as disclosed by Hind.

Since Keane discloses a GUI programmed with Java and Hind discloses a GUI programmed with Java Server Page (JavaScript), the motivation for doing so would have been to allow a user interface with inline representation of steps in a multi-stepped process in conjunction with a network system to be programmed with a universal language like Java.

Therefore, it would have been obvious to combine Hind with Keane to obtain the invention as specified in the instant claim.

Claim 23:

Claim 23 corresponds to claim 6.

8. Claims 7,17, and 22 are rejected under 35 U.S.C. 103(a) as being obvious over Keane et al (US 6650433; Patent Issue Date: Nov 18, 2005; Patent Filing Date: April 25, 2000; hereafter Keane) in view of Hind et al (US 6715129; Patent Issue Date: Mar 30, 2004; Patent Filing Date: Oct 13, 1999; hereafter Hind) in further view of Scheinblum ("Make Your Applications Strut"; Copyright Date: March 5, 2002. http://articles.techrepublic.com.com/5100-22-1027640.html; hereafter Schein').

Claim 7:

Keane and Hind disclose the limitations of claim 5.

Keane discloses building a response page (Fig 1A and col 13, lines 59-65 → Keane discloses "response page " in that the GUI communicates on a network with a

communication protocol using HTML components. It is well-known in the art for the server to respond to a client using a page.)

and the use of Java. (Col 13, lines 1-5 → Keane discloses a system which utilizes a Javascript.)

Keane and Hind does not appear to explicitly disclose ***a method wherein building the response page using a Struts framework***.

However, Schein' discloses ***a method presenting a Struts Framework***. (pg U-1, 1st paragraph → Schein' discloses a Struts Framework technology.)

Keane, Hind, and Schein' are analogous art because they are from the same field of endeavor of graphical user interface applications using Java.

At they time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Keane and Hind before him or her, to modify the GUI that identifies a current step within the series of steps to include communication with a client and server because it allows tasks to be listed and oriented in a network system with an universal web based language like Java, as disclosed by Keane, with a Java Server Page, as disclosed by Hind, and with Java based Struts framework, as disclosed by Schein'.

Since Keane discloses a GUI programmed with Java and Hind discloses a GUI programmed with Java Server Page (JavaScript), the motivation for doing so would have been to allow a user interface with inline representation of steps in a multi-stepped process in conjunction with a network system to be programmed with a universal language like Java.

Therefore, it would have been obvious to combine Hind and Schein' with Keane to obtain the invention as specified in the instant claim.

Claim 17:

Claim 17 corresponds to claim 7.

Claim 22:

Claim 22 corresponds to claim 7.

Response to Arguments

Claims 1-4, 11-14, and 24 are Rejected Under 35 USC ~ 102 (b):

Applicant's arguments filed for Claims 1-4, 11-14, and 24 have been fully considered but they are not persuasive. The applicant argues that Keane does not disclose "retrieving a step component for the current step" or "presenting the current step inline within the series of steps such that the step component is presented in the context within the series of steps."

The examiner disagrees.

Keane discloses "retrieving a step component for the current step" in that the process portrays the appropriate GUI components for the step selected. (Note: Fig 7 of the application discloses a flow chart for the algorithm of the proposed invention which has

Item 720 as "Retrieve Step Tile for Current Step.") In Fig 4A and 4B of Keane, when the user selects "Orientation" icon in the left frame, the right frame discloses components of a GUI that portrays Horizontal and Vertical orientation of the business card (Fig 4A); when the user selects the "Template" icon in the left frame, the right frame discloses components of a GUI that portrays the templates for the business card (Fig 4B). Keane also discloses "presenting the current step inline within the series of steps such that the step component is presented in the context within the series of steps" in that in Figs 4A and 4B, the "Orientation" and the "Template" icon is in line and in series (2nd and 3rd on the list respectively) with the icons that portray a process (see left frame). The "step components" are in the right frame, displaying the GUI components of the selected step that are showing segmented parts of a process.

Claims 5, 6, 8-10, 15, 16, 18-21, and 23 are Rejected Under 35 USC ~ 103 (a):

Applicant's arguments filed for Claims 5, 6, 8-10, 15, 16, 18-21, and 23 have been fully considered but they are not persuasive. The applicant argues that Keane and Hind can not be combined because the examiner failed to disclose *prima facie* obviousness as a whole; failed to state a proper reason to achieve the legal conclusion of obviousness as stated by KSR because in the opinion of the applicant, an advantage is not the legal conclusion of obviousness, and Hind is not analogous art when combined with Keane.

The examiner disagrees.

Although the applicant presented a lengthy and an exhaustive argument, the applicant's reasoning is a bit short sighted. First, Keane and Hind can be combined to show *prima facie* because Keane discloses a GUI with Java programming and Hind discloses a GUI with a Java Server Page (Java Script). Java and Java Script are very similar except with one difference, Java requires compiling while Java Script does not. However, that difference does not take away from the *prima facie* because Java Script is derived from Java. Therefore, it is very well-known in the art that most programs that written in Java can also be written in Java Script, and vice versa. Second, the motivation is sufficient because both Keane and Hind disclose GUIs with Java related languages; moreover, combining these prior arts under reasons of obviousness is sufficient because the examiner used the requirements for 35 USC ~103(a) rejection as recited in Graham vs. John Deere. Third, Hind and Keane are in the same field of endeavor because both Keane and Hind disclose GUIs with Java related languages.

Claims 7, 17, and 22 are Rejected Under 35 USC ~ 103 (a):

Applicant's arguments filed for Claims 7, 17, and 22 have been fully considered but they are not persuasive. The applicant argues that Scheinblum can not be combined with Hind or Keane because Keane does not disclose the limitations of Claim1 and Scheinblum is not the same field of endeavor.

The examiner disagrees.

Scheinblum discloses how to build a Java-based Struts framework. The examiner notes that Struts and Frames are GUI components and can be seen in Keane (Fig 4A and 4B), where the GUI window is divided into frames. Since, Keane, Hind, and Scheinblum disclose GUIs and/or GUI components programmed by Java related languages, they are from the same field of endeavor. Moreover, Keane discloses the limitations of Claim 1 as stated above (see "Response to Arguments: Claims 1-4, 11-14, and 24 are Rejected Under 35 USC ~ 102 (b)").

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SOUMYA DASGUPTA whose telephone number is

(571)272-7432. The examiner can normally be reached on M-Th 9am-7pm, F 9am-1pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SD

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